

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Stanley R. Chesler
	:	
v.	:	Crim. No. 09-697 (SRC)
	:	
JAMES ARTFICH	:	<u>CONSENT ORDER</u>

This matter having come before the Court on the joint application of the United States (by Paul J. Fishman, U.S. Attorney; Randall H. Cook, Assistant U.S. Attorney, appearing) and defendant James Artfich (by Howard Browntein, Esq.) for an order resolving the outstanding restitution issue in the above-captioned matter; and the Court having considered the matter; the Court makes the following findings:

1. The defendant was sentenced in the above-captioned matter on November 28, 2011;
2. A victim of the defendant's offense, "Amy", is seeking restitution pursuant to 18 U.S.C. § 2259 for her losses attributable to the defendant's offense;
3. Amy's losses were not ascertainable prior to sentencing;
4. The Court ordered briefing pursuant to 18 U.S.C. § 3664(d)(5) regarding the appropriate loss amount;
5. The parties agree that a reasonable loss amount for Amy's losses attributable to the defendant's offense is \$2,245;
6. The parties further agree that, if the Court orders the defendant to pay restitution for Amy's losses in the amount of \$2,245, neither party will seek to file any appeal, any collateral attack, or any other writ or motion, including but not limited to an appeal under 18 U.S.C. § 3742

or a motion under 28 U.S.C. § 2255, which challenges the restitution amount and order imposed by the Court;

7. Defendant Artfitch specifically considered and agreed to this resolution of the restitution issue; and

8. The Court finds that \$2,245 is a reasonable amount of restitution to compensate Amy for her losses caused by the defendant's offense.



IT IS, therefore, on this 18 day of April 2012,

ORDERED, pursuant to 18 U.S.C. § 2259(b), that the defendant shall pay restitution for Amy's losses in the amount of \$2,245 to the United States Clerk's Office, to be paid within thirty days; and

ORDERED that the United States Clerk's Office shall arrange payment of restitution to Amy's designated representative.


HONORABLE STANLEY R. CHESLER
United States District Judge

Consented to:


RANDALL H. COOK
Assistant United States Attorney
HOWARD BROWNSTEIN, ESQ.
Defense Counsel

BROWNSTEIN & ASSOCIATES, P.C.

Attorneys at Law

HOWARD B. BROWNSTEIN*

* NJ & NY BAR

January 18, 2012

James Artfitch / 29918-050
FCI Fort Dix
Federal Correctional Institution
P.O. BOX 2000
Fort Dix, NJ 08640

Re: United States of America v. James Artfitch
Docket No.: 2:09-cr-00697-SRC

Dear James:

We hope this letter finds you in good health and spirits. The US Attorney and I have agreed to a resolution of the restitution issue. The Government agreed to \$2,245.00 in restitution which is considerably less than the 3 million they initially asked for. This money would come out of your monies made while working in prison, this is a logical resolution. If this meets with your approval please execute where indicated and date below and forward back to my office in the enclosed self addressed stamped envelope.

Should you have any questions or comments with regard to the foregoing, please feel free to contact me.

Very truly yours,
BROWNSTEIN & ASSOCIATES



HOWARD B. BROWNSTEIN, ESQ.

HBB/jj

I agree to restitution in the above-referenced matter in the amount of \$2,245.00 which will be the full amount to settle same.



James Artfitch

Dated:

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